

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

RALPH HIBBLER,

Petitioner,

v.

PATRICK COVELLO,

Respondent.

No. 2:19-cv-02596-TLN-CKD

**ORDER**

Petitioner, a state prisoner proceeding *pro se*, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

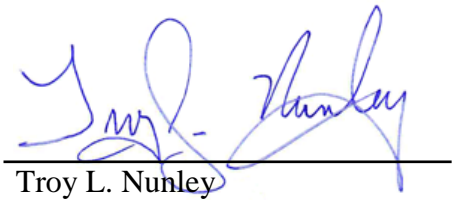
On May 13, 2020, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed May 13, 2020, are ADOPTED IN FULL;
2. This action is DISMISSED without prejudice for failure to prosecute. *See* Local Rule 183(b);
3. The Clerk of Court shall close this action; and
4. The Court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

DATED: June 24, 2020



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Troy L. Nunley  
United States District Judge